

April 2005 Unified Program Newsletter

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California Environmental Protection Agency

Inspection Report Writing Guidance for Unified Program Agencies

The Inspection Report Writing Guidance for Unified Program Agencies has been jointly developed by State, Federal and CUPA staff as part of ongoing cooperative efforts to ensure continual Unified Program improvement. This guidance is intended to outline basic requirements of an acceptable inspection report for all Unified Program elements. The guidance document has been finalized and will be available on the Unified Program Website at: <http://www.calepa.ca.gov/CUPA/Documents/2005/InspectionRpt.pdf>.

If you have any questions, please contact Dennis Karidis at 916-327-9558 or dkaridis@calepa.ca.gov.

Sacramento County CUPA Innovation

From the Sacramento Bee:

Proper disposal pays off: Businesses that carefully handle hazardous waste will get county refunds

By Cameron Jahn -- Bee Staff Writer *Published 2:15 am PST Tuesday, March 8, 2005*

Don Hayes, the owner of a string of auto repair shops, and thousands of business owners like him are in line for a pat on the back from Sacramento County for doing the right thing with hazardous waste. In a first for environmental regulators statewide, more than 4,200 businesses in Sacramento County will receive refunds later this year for properly disposing of hazardous waste.

Businesses that have kept a clean environmental record during the past three years - from golf courses to print shops and hospitals - will be given a cut of as much as \$300,000 in extra revenue that the county's Environmental Management Department expects to collect by June 30. "I hadn't heard of it, but that's great," said Hayes, who runs three Hayes Brothers Collision Repair shops in the county and another in Woodland. "What they should do is lower fees for the following year if the government collected too much money." Charged with covering its operating costs through fees and penalties, the Environmental Management Department handed out more fines than expected in recent months and now expects to wrap up the fiscal year with a surplus.

Two years ago, the department issued about \$48,400 in fines, but officials said new environmental regulations have triggered a surge in violations, resulting in penalties totaling more than \$458,000 so far this year. Dennis Green, chief of the county's hazardous materials division and architect of the refund

plan, said business owners often accuse the county of stepping up enforcement or raising fees to cover budget shortfalls. But, he said, "We're not in this business to make money, and this insulates us from that charge completely." In past years, the Environmental Management Department has socked away extra money, but with a 15 percent reserve on hand, the department didn't need to save any more, Green said.

Business owners will begin seeing the rebates - each under \$100 in most cases - on billing statements after the start of the new fiscal year July 1. Environmental compliance in California is not cheap. Just ask Folsom Ready Mix, which was slapped with a \$66,500 fine Jan. 7 for discharging hazardous waste, or Econo Lube and Tune on Walnut Avenue, which faces a \$23,560 penalty for numerous allegations of violating the county's ordinances pertaining to underground storage tanks and hazardous waste disposal. Environmental permits are required for any business that uses dangerous chemicals, generates hazardous waste or keeps underground storage tanks on site.

East Lawn Cemetery needs an environmental permit because it keeps 75-gallon gasoline storage tanks that groundskeeper Joe Bryant uses to refuel the facility's fleet of lawn equipment to mow the 43-acre grounds. Paul Criswell's permit allows him to dispose of used motor oil, transmission fluid and grease at his 20th Street car repair shop. Bob Hitomi needs an environmental permit in order to dispose of machine lubricants at Blue Diamond Almonds' downtown factory. Dorothy Haemer's permit covers the spent syringes, leftover drugs and heavy-duty cleaning products Mission Carmichael Health Care Center uses to treat patients and keep the 135-bed facility clean.

All four can expect a refund later this year.

State Water Resources Control Board

2005 UST Rulemaking Calendar

The following is a link to the 2005 UST Rulemaking Calendar

<http://www.calepa.ca.gov/CUPA/Calendar/Rulemaking.pdf>

New State Water Board Unit Chief

We are pleased to announce that Laura Chaddock has been selected to the position of Senior Environmental Scientist, Chief of the Leak Prevention Technical Unit. This is the unit that provides technical and regulatory assistance to local agencies. This unit is fortunate to already have two knowledgeable staff people (Scott Bacon and Raed Mahdi), and two more will be hired in the next few months. Many of you know Laura, who came to the State Water Board four years ago after working for Yolo County as a UST inspector. While at the State Water Board, she capably served as an Environmental Scientist in this unit, leading a number of efforts including revision of a critical UL standard for UST piping. Laura's UST expertise is well-known, and she has single-handedly conducted training for many hundreds of UST staff throughout the state. Her knowledge of UST technical issues and her ability to work with the people who carry out the program will serve her well in her new capacity.

Proposed Rulemaking - Interstitial Liquid Level Measurement (ILLM)

To make the existing emergency regulation defining ILLM a permanent part of title 23, the State Water Board has proposed a rulemaking. The required 45-day public comment period for this rulemaking ended December 10, 2004. Comments were received, both in support of and in opposition to the proposed regulation. We have considered all of the comments, and have decided to move forward with adopting the regulation as originally proposed. The next step in this process is to present the proposed regulation to the Board. The Board will discuss and hear comments on the proposed regulation during their May Board Workshop, on May 3rd and 4th. If acceptable to the Board after discussion at the May Workshop, the proposed regulation will be considered for adoption during the May 19th Board meeting. To allow time for completion of the rulemaking process, the Office of Administrative Law has extended the current emergency regulation through July 28, 2005. Further information on the proposed regulation and public comment process can be found on the UST Program website (www.waterboards.ca.gov/ust).

UST Program Contact: Scott Bacon (sbacon@waterboards.ca.gov; 916-341-5873)

Spill Bucket Testing Workgroup

State Water Resources Control Board (State Water Board), Underground Storage Tank (UST) Program formed a spill bucket testing work group to discuss: the lack of a uniform spill bucket testing protocol throughout California; how to dispose of testing fluid; the use of an appropriate testing fluid; and other concerns related to spill bucket testing. The objective of the work group is to come up with guidelines for testing spill buckets. The work group met for the first time on March 8, 2005. The meeting was productive and the workgroup has already begun to draft guidelines for testing spill buckets. The workgroup anticipates completing the draft guidelines by May 2005. At that time, the draft guidelines will be forwarded to the UST Issue Coordinators. The State Water Board anticipates having the final guidelines completed by Fall 2005.

UST Program Contact: Raed Mahdi (rmahdi@waterboards.ca.gov; 916-341-5871)

Joint ARB/State Water Board Determination Effort

Health and Safety Code (HSC), chapter 6.7, section 25290.1.2(a) requires the Air Resources Board (ARB) and State Water Resources Control Board (State Water Board) to determine collaboratively, to the best of their knowledge and using existing resources, that the equipment that meets the ARB's Enhanced Vapor Recovery (EVR) requirements also meets UST statutory requirements. The ARB and State Water Board held a joint staff-level workshop on February 28, 2005 to solicit stakeholder comments on the draft proposed guidelines for determination of compliance of EVR systems with UST statutes. About 30 people attended the workshop. Comments were received from stakeholders, and currently we are working with ARB to review comments and revise the guidelines as appropriate. We anticipate the final guidelines will be posted on the UST Program website (www.waterboards.ca.gov/ust) in April 2005.

UST Program Contact: Raed Mahdi (rmahdi@waterboards.ca.gov; 916-341-5871)

Unidocs-Geotracker Link

The general scope of this project is to integrate Geotracker and Unidocs systems so users can seamlessly access information in both databases. The project is being funded by a USEPA grant. This is an effort to make local UST facility and tank information available to SWRCB and others through the Geotracker system. The initial work on this project is scheduled to be completed by June 30, 2005. Dan Firth of the CUPA Forum Board (650) 329-2347 is coordinating this effort.

UST Program Contact: (rmahdi@waterboards.ca.gov; 916-341-5782)

Effort to Update Regulations

The State Water Board's regulations are out of date. We are considering whether it still makes sense to allow leak detection via groundwater or vapor monitoring wells and statistical inventory reconciliation. The CUPA Forum Board UST Issue Coordinators and State Water Board staff are interested to hear the TAG's perspective on these issues. How many facilities still use these types of leak detection? How reliable are they? What would be the business impact if these methods were no longer allowed? We hope to hear your viewpoints on these issues during future TAG meetings.

UST Program Contact: Ichaddock@waterboards.ca.gov 916-341-5870

DTSC

CUPA Conference Follow-up

At the 2005 CUPA conference in Universal City, a panel of DTSC "experts" took questions from an open audience during one session. DTSC has restated each question and summarized the discussions that were held during this class in the attached document.

Please direct any questions regarding this document to Mickey Pierce at 510-540-3851 or mpierce@dtsc.ca.gov.

[Click here to view the document.](#)

RCRA LQG Reports Now Due to DTSC

The RCRA Large Quantity Generator inspection and enforcement quarterly report for the period covering January 1, 2005 through March 31, 2005 is due by May 1, 2005 to the Department of Toxic Substances Control. If you missed submitting this data for any other previous quarter(s), you may submit that as well. This request is being made pursuant to section 15290(g), title 27, California Code of Regulations. You may submit this data in the following forms:

1. Electronically (ASCII flat file format preferred on CD or floppy disk;
2. Hard copy (i.e., print out from your data system);
3. Completion of a data entry form for each inspection, violation determination, and enforcement action;
4. Excel spreadsheet or Access database (on CD or floppy, or email to: cmclaug1@dtsc.ca.gov); or

Please submit your report to:

Charles A. McLaughlin, Chief
State Oversight and Enforcement Branch
Department of Toxic Substances Control
8800 Cal Center Drive, Sacramento, CA 95826-3200

OES**Mailing Address Correction**

OES is no longer using a P.O. Box for US Mail deliveries. Please use the following address for all correspondence. Additionally, the address in CCR, Title 19, Section 2705 (RE: written release/spill reports), has been officially updated.

OES Mailing Address:
3650 Schriever Ave
Mather, CA 95655

CalARP Program Update

The new version of the CalARP Program Administering Agency Guidance Document, dated 1-31-05, is available for download on the OES website: <http://www.oes.ca.gov/> - Click on "Hazardous Materials", then "CalARP Program."

Contact Jack Harrah if you have question related to the guidance document (916-845-8759 or Jack_Harrah@oes.ca.gov).

The Unified Program Section is interested in your comments and suggestions regarding the monthly newsletter. Please provide comments and suggestions to cupa@calepa.ca.gov.

[Cal/EPA Unified Program Home Page](#)